

United States District Court  
for the  
Southern District of New York

LVN CORPORATION

Plaintiff

v.

JAGDESHWAR L. SADHU, NEW YORK  
CITY ENVIRONMENTAL CONTROL  
BOARD

Defendant(s)

)  
) Civil Action No. 18-cv-01516  
)  
) **ORDER VACATING DEFAULT  
JUDGMENT OF FORECLOSURE AND  
SALE, VOLUNTARILY DISMISSING  
COMPLAINT, AND CANCELLING  
NOTICE OF PENDENCY OF ACTION**  
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Before the Court is a motion to vacate the Default Judgment of Foreclosure and Sale pursuant to Fed R. Civ. P. § 60(b), voluntarily dismiss the Complaint pursuant to Fed. R. Civ. P. § 41(a)(2), and cancel the Notice of Pendency of Action pursuant to N.Y. C.P.L.R. §6514. The action was commenced by filing of the Summons and Complaint on February 20, 2018, copies of which were served on the Defendants. The Defendants failed to answer, appear or motion with respect to the Complaint and defaulted. On October 17, 2019, the Court granted the Plaintiff default judgment pursuant to Fed. R. Civ. P. §55(b)(2) and a Judgment of Foreclosure and Sale pursuant to N.Y. R.P.A.P.L. §1351 and §1354. Thereafter, the Plaintiff accepted the Defendant's short sale proceeds in satisfaction of the mortgage debt, which settled the case and nullified the Default Judgment of Foreclosure and Sale. On these grounds, it is hereby:

**ORDERED, ADJUDGED AND DECREED**, the Plaintiff's motion is granted; and it is further

**ORDERED, ADJUDGED AND DECREED**, the Default Judgment of Foreclosure and Sale entered on October 17, 2019 is vacated pursuant to Fed. R. Civ. P. §60(b); and it is further

**ORDERED, ADJUDGED, AND DECREED**, the Referee who was appointed to sell the property at public auction pursuant to the Judgment of Foreclosure and Sale, Joyce A. Brown Esq., is discharged and relieved of any and all obligations and requirements thereunder; and it is further

**ORDERED, ADJUDGED, AND DECREED**, that pursuant to N.Y. C.P.L.R. § 6514(a), the County Clerk of Bronx County is directed, upon payment of proper fees, if any, to cancel and discharge a certain Notice of Pendency of Action filed in the Bronx County Clerk's Office on March 1, 2018, and any other filing against the property known as 2486 Elm Place, Bronx, NY 10458, and said Clerk is hereby directed to enter upon the margin of the record of the same a Notice of Cancellation referring to this Order.

**SO ORDERED:**

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is written above a horizontal line.

U.S. District Judge Edgardo Ramos  
United States District Court for the Southern  
District of New York

Date: January 14, 2022  
New York, New York